

TOWN OF SOUTHAMPTON

Department of Land Management
Zoning Board of Appeals
116 HAMPTON ROAD
SOUTHAMPTON, NY 11968

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PRELIMINARY AGENDA – NOT OFFICIAL

SOUTHAMPTON TOWN ZONING BOARD OF APPEALS PUBLIC HEARING AGENDA October 15, 2020

The Zoning Board of Appeals meeting is being held via videoconference. Applications are scheduled to begin at 6:00 p.m., or shortly thereafter. Applications may not be heard in the order as they appear on this agenda. Current agendas may be viewed on the internet at the following address: www.southamptontownny.gov

- CALL TO ORDER
- PLEDGE OF ALLEGIANCE
- APPROVAL OF MINUTES

Please note: Applications highlighted in GRAY have requested an adjournment or have requested to withdraw the application

MINOR VARIANCE REVIEW

SCTM - HAMLET

None scheduled for this meeting

NEW APPLICATIONS

SCTM – HAMLET

- Angela Jett** Jason 900-31-2-31 North Sea
38 Lake Drive
Applicant requests relief from the following provisions of the Town Code for a proposed detached garage on a nonconforming lot: (i) §330-11 (residence districts table of dimensional regulations) for an accessory distance from street setback of 33.5 feet where 50 feet is required, (ii) §330-77D (placement of accessory buildings structures and uses in residence districts) for a rear yard of 23.4% where a maximum of 20% is permitted, and (iii) §330-84D (pyramid height) for an encroachment in the amount of 909 cubic feet (534 cf (west side) + 375 cf (south side) and any other relief necessary.
- Camille Considine, Keith Considine & Clifford Considine** Michael 900-145-5-12 Flanders
1139 Flanders Road
Applicant requests relief from the following provisions of the Town Code: 1. For a proposed addition that will result in the existing detached garage being attached to the main dwelling on a nonconforming lot: (i) §330-115C (continuance) for a principal rear yard setback of 2.5 feet where 9.4 feet is existing, and (ii) §330-84D (pyramid height) for proposed encroachment in the amount of 1,978.10 cubic feet (290.5 cf existing (dwelling) + 1,575 cf existing (garage) + 112.60 cf proposed (addition)); and 2. To legalize an extension of the roofed porch: §330-115C (continuance) for a principal front yard setback of 28.4 feet where 34.5 feet is required and any other relief necessary.

NEW APPLICATIONS (continued)

SCTM – HAMLET

3. **Reo Properties, LLC** Cornelius 900-354-4-51 Westhampton
18 Sea Gate Avenue
Applicant requests a determination that the subject parcel SCTM# 900-354-4-51 is held in single and separate ownership from all adjacent parcels and thus entitled to relief pursuant to §330-115D. If the Board deems the subject property to be a single and separate lot, applicant also requests relief from Town Code §330-11 (residential districts table of dimensional regulations) for a principal front yard setback of 30 feet where 40 feet is required from the westerly property line (Sea Gate Avenue) and a principal front yard setback of 30 feet where 40 feet is required from the southerly property line (Glendale Street) for a proposed two-story dwelling with a covered porch on a nonconforming lot and any other relief necessary.

RE-ADVERTISED APPLICATIONS

SCTM – HAMLET

4. **Sand Land Corp.** (appl. 1600135) 900-23-1-1 Noyac
585 Middle Line Highway
Applicant appeals the issuance of Certificate of Occupancy No. C160135, dated April 26, 2016, as it relates to the uses on the subject property and any other relief necessary.
5. **Gregory O'Halloran and Marlene O'Halloran** 900-15-2-43 Noyac
17 Wickatuck Drive Brian
Applicant requests relief from the following provisions of the Town Code: 1. For a proposed 1-story addition to the east side of the existing dwelling on a nonconforming lot: §330-84D (pyramid height) for an encroachment in the amount of 1,212.2 cubic feet (683.6 cf existing + 528.6 cf proposed); 2. To legalize an outdoor shower constructed without the benefit of a building permit: (i) §330-11 (residential districts table of dimensional regulations) for an accessory side yard setback of 6.9 feet where 8 feet is required and (ii) §330-76D (placement of accessory buildings, structures and uses in all districts) and §330-83C (yards) to allow the outdoor shower to remain within the total side yard of the principal building; and 3. §330-77G (placement of accessory buildings, structures and uses in residence districts) to legalize the location of the air conditioning unit, to wit, at a side yard setback of 3 feet +/- where 10 feet is required and any other relief necessary.
6. **JAB Properties Associates, LP** Brian 900-132-2-27 North Sea
299 County Road 39A
Applicant requests relief from the following provisions of the Town Code: 1. §330-105K (schedules of minimum and maximum floor area) to permit additions totaling 5,390 square feet (1,451 square foot enclosure over roofed area, 2,678 square foot addition to the service department, and 1,261 square foot enclosure of roofed display area) to an existing 17,444 square foot building where the maximum gross floor area per building or building complex in the Highway Business Zoning District shall not exceed 15,000 square feet per lot; 2. §330-83G(1)(a) (yards) to permit a transitional rear yard of 10 feet where 50 feet is required to adjoining residential districts to permit the expansion of the existing vehicle storage area; and 3. §330-100D (exemptions and waivers of parking and truck loading space requirements) as it relates to §330-95 (schedule of off-street parking space requirements for nonresidential uses) to allow 79 parking spaces where 97 parking spaces is required and any other relief necessary.

RE-ADVERTISED APPLICATIONS (continued)

SCTM – HAMLET

7. **James DeLay** Helene 900-187-2-23 Hampton Bays
29 Washington Height Avenue
Applicant requests the following relief from Town Code §330-11 (residential districts table of dimensional regulations) for a proposed addition and stairway to an existing dwelling on a nonconforming lot: (i) a principal minimum side yard setback of 14'-6" where 20 feet is required (for the proposed addition), (ii) a principal minimum side yard setback of 9'-1" where 20 feet is required (for the proposed stairway), (iii) a principal total side yard setback of 39'-6" where 45 feet is required (for the proposed addition); and (iv) a principal total side yard setback of where 34'-11" where 45 feet is required (for the proposed stairway) and any other relief necessary.
8. **225 Butter Lane LLC & 251 Butter Lane LLC** 900-52-1-36 Bridgehampton
225 & 251 Butter Lane LLC Michael
Applicant requests relief from the following provisions of the Town Code: (i) §330-38 (Industrial Districts Table of Dimensional Regulations) for a lot width of 139.16 feet where 150 feet is required and Town Code §330-82 (lot width) for a flag pole width of 10.01 feet where 20 feet is required; all for Lot 4 of a proposed four-lot subdivision and any other relief necessary.
9. **Lisa Pierallini** Adam 900-45-2-58.3 North Sea
17B Sunninghill Road
Applicant requests relief from the following provisions of the Town Code: 1. For a proposed swimming pool: (i) §330-11 (residential districts table of dimensional regulations) for an accessory side yard setback of 23.8 feet where 50 feet is required and (ii) §330-76D (placement of accessory buildings structures and uses in all districts) and §330-83C (yards) to allow the proposed swimming pool to be located within the required side yard and total side yard of the principal building; 2. To legalize the construction of a deck attached to the dwelling without the benefit of a building permit: (i) §330-11 for an accessory side yard setback of 41 feet +/- where 50 feet is required and (ii) §330-76D (placement of accessory buildings structures and uses in all districts) and §330-83C (yards) to allow the deck to remain within the required side yard and total side yard of the principal building; and 3. For the dwelling: §330-11 for a principal minimum side yard setback of 46.6 feet where 50 feet is required and any other relief necessary.

NEW - ADJOURNED APPLICATIONS

SCTM – HAMLET

None scheduled for this meeting

SCOPING SESSION

SCTM – HAMLET

None scheduled for this meeting

HOLDOVER APPLICATIONS

SCTM – HAMLET

Held over from the 06/18/20 meeting; and adjourned from the 08/06/20 meeting:

10. **Joseph J. Hancock** (app# 2000026) Cornelius 900-226-2-10.2 Hampton Bays
22 Squiretown Road
Applicant appeals the decision of the Principal Building Inspector as provided in Town Code §330-165A (appeals on interpretation of Zoning Law and Map), in that the proposed garage is not a subordinate or incidental building because of its size in proportion to the main dwelling and its use. In addition, applicant requests relief from Town Code §330-84D (pyramid height) for an encroachment in the amount of 1,690 cubic feet for a proposed detached garage on a nonconforming lot and any other relief necessary.

Held over from the 07/16/20 and the 9/3/20 meeting:

11. **Production Holding, LLC & Tyronne Terchunian** 900-355-2-18.6 & 18.7
57 & 61 Station Road (app# 2000066) Adam Westhampton
Applicant requests the following relief from Town Code §330-11 (residential districts table of dimensional regulations) to legalize a two-lot subdivision: For Lot 18.6: a lot area of 20,083 square feet where 40,000 square feet is required and a lot width of 113.97 where 120 feet is required; and For Lot 18.7: a lot area of 21,958 square feet where 40,000 square feet is required and any other relief necessary.

Held over from the 07/16/20 and 9/3/20 meeting:

12. **Tyronne Terchunian** (app# 2000064) Adam 900-355-2-18.6 Westhampton
57 Station Road
Applicant requests relief from the following provisions of the Town Code to legalize a one story concrete building on a nonconforming lot: Town Code §330-11 (residential districts table of dimensional regulations) for an accessory side yard setback of 3 feet where 20 feet is required and an accessory rear yard setback of 15.2 feet where 20 feet is required; and Town Code §330-84D (pyramid height) for an encroachment in the amount of 960 cubic feet and any other relief necessary.

Held over from the 07/16/20 and 9/3/20 meeting:

13. **Production Holding, LLC** (app# 2000065) Adam 900-355-2-18.7 Wethampton
61 Station Road
Applicant requests relief from the following provisions of the Town Code: 1. For an existing two story house on a nonconforming lot: Town Code §330-11 (residential districts table of dimensional regulations) for a principal minimum side yard setback of 16.7 feet where 20 feet is required to legalize the conversion of an open porch to a covered porch; 2. To legalize an addition to a one story frame barn: (i) Town Code §330-11 for an accessory side yard setback of 11.1 feet where 20 feet is required, (ii) Town Code §330-115C (continuance) for an accessory rear yard setback of 2.4 feet where 4.2 feet is existing; and (iii) Town Code §330-84D (pyramid height) for an encroachment in the amount of 2.45 cubic feet; 3. For a deck attached to the barn: (i) Town Code §330-11 for an accessory side yard setback of 0 feet where 20 feet is required, and an accessory rear yard setback of 10 feet +/- where 20 feet is required, and (ii) Town Code §330-84D for an encroachment in the amount of 3.9 cubic feet; 4. For the existing A/C unit:

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Production Holding, LLC (app# 2000065) (continued)

Town Code §330-77G (placement of accessory building, structures and uses in residence districts) for a rear yard setback of 4.7 feet where 10 feet is required; 5. To legalize the conversion of the barn to an accessory apartment: 1. Town Code §330-11.2F (accessory apartment special standards) for the following: (i) for a lot area of 21,958 square feet where 32,000 square feet is required (80% of 40,000 square feet); (ii) an accessory rear yard setback of 2.4 feet where 14 feet is required (70% of 20 feet); (iii) an accessory side yard setback of 11.1 feet where 14 feet is required (70% of 20 feet); (iv) an accessory side yard setback of 0 feet where 14 feet is required for the existing deck (70% of 20 feet); and 2. Town Code §330-11.2G(1) to allow the size of the apartment to exceed 35% of the total floor area of the principal dwelling (approximately 50%) where a maximum of 35% is permitted and any other relief necessary.

| <u>DECISIONS</u> | | <u>DATE CLOSED</u> | <u>SCTM – HAMLET</u> | |
|---|---------|---------------------------|-----------------------------|--------------|
| Camp Jerome, LLC (written submissions by Oct. 5 th) | Keith | 9/3/20 | 900-378-1-12.3 | Quogue |
| Michael Frank (written submissions by Oct. 5 th) | Jason | 9/3/20 | 900-133-2-21.23 | Water Mill |
| 1206 Flying Point Road, LLC (written submissions by Sept. 21 st) | Michael | 08/20/20 | 900-179-1-21 | Water Mill |
| Almonds, LLC (written submissions by Sept. 21 st) | Brian | 08/20/20 | 900-9-2-66 | Noyac |
| Joseph M. Citrone (written submissions by Sept. 21 st) | Adam | 08/20/20 | 900-297-3-49 | Hampton Bays |
| Donald T. Witkowski & Robert J. Wallace (Gilioli & Chen – Applicants) (written submissions by Sept. 21 st) | Adam | 08/20/20 | 900-115-3-4 | Water Mill |
| Heidi R. Joe & Glenn Steigelman (written submissions by Sept. 8 th) | Michael | 08/06/20 | 900-60-1-5 | North Sea |
| Edward Czaplinski (written submissions by August 17 th) | Keith | 07/16/20 | 900-254-1-43 | Hampton Bays |
| Christopher Norwood (written submissions by August 3 rd) | Jason | 07/02/20 | 900-5-2-31 | Noyac |